

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF RESPIRATORY CARE EXAMINERS

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 6, Board of Behavioral Health Examiners
Articles and their headings: 1, Definitions
2, General Provisions
3, Certification
4, Social Work
5, Counseling
6, Marriage and Family Therapy
7, Substance Abuse Counseling and Treatment
8, Certificate Renewal and Continuing Education
9, Appeal of Certification or Renewal Ineligibility
10, Disciplinary Process for Unprofessional Practices
Section numbers: R4-6-101 through R4-6-1003
2. **Subject matter of the proposed rules:**
The Board of Behavioral Health Examiners rules establish the governing process of the certification of Behavioral Health Professionals including Social Workers, Counselors, Marriage and Family Therapists, and Substance Abuse Counselors.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Sonja Bolf
Address: Board of Behavioral Health Examiners
1400 West Washington, Suite 350
Phoenix, Arizona 85007
Telephone: (602) 542-1896
Fax: (602) 542-1830
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Board will accept written comments between 8 a.m. and 5 p.m. Monday through Friday.
The Board will accept oral comments between 8 a.m. and 4 p.m., Monday through Friday, at the location listed above.
6. **A timetable for agency decisions or other action in the proceeding:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF RESPIRATORY CARE EXAMINERS

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 45, Board of Respiratory Care Examiners
Articles and their headings: 1, General Provisions
2, Licensure
3, Hearings
Section numbers: None listed.
2. **Subject matter of the proposed rules:**
Rules to administer A.R.S. §§ 32-3501 through 32-3558, the laws regarding the Board of Respiratory Care Examiners.
3. **A citation to all published notices relating to the proceeding:**
Not applicable.

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4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Mary Hauf Martin, Executive Director
Address: Board of Respiratory Care Examiners
1400 West Washington, Suite 200
Phoenix, Arizona 85007
Telephone: (602) 542-5995
Fax: (602) 542-5900

5. The time during which written submissions may be made:

The Board will accept written comments through June 27, 1996.

The time and place where oral comments may be made:

Date: June 27, 1996
Time: 10 a.m.
Location: Board of Respiratory Care Examiners
1400 West Washington
Second Floor Conference Room
Phoenix, Arizona

6. A timetable for agency decisions or other action in the proceeding:

The Board anticipates consideration and action regarding the proposed rules at its regular, monthly public meeting on June 27, 1996.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

1. Title and its heading: 6, Economic Security

Chapter and its heading: 14, Department of Economic Security - Food Stamps Program

Articles and their headings: 1, Food Stamps - General Information and Provisions
5, Food Stamps - Hearings and Appeals
6, Food Stamps - Claims and Restoration of Lost Benefits

Section numbers: R6-14-111, R6-14-501 through R6-14-507, R6-14-601 through R6-14-610

2. Subject matter of the proposed rules:

The Department will amend the rules governing hearings, appeals, and claims and restoration of lost benefits to make the language more consistent with current federal regulations governing the food stamp program, and with the Department's actual practices and policies. The amendments to the rules listed above will replace the concept of "fraud" with the current federal regulations for "intentional program violations". The Department will make appropriate and corresponding changes in the food stamp definitions rule.

The amendments will also bring the rules into conformity with current stylistic and format requirements for administrative rules.

This docket opening reflects the Department's recodification of the food stamp rules from 6 A.A.C. 3, Articles 19 through 24 to 6 A.A.C. 14, Articles 1 through 6, respectively. (This recodification will appear in 96-1 Supplement of the *Arizona Administrative Code*).

3. A citation to all published notices relating to the proceeding:

Although there have been no published notices related to this particular rulemaking proceeding, the Department has previously published a docket notice on a different rulemaking package that involves other rules in this same Article of the Code. (See 1 A.A.R. 1558, September 8, 1995).

4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Vista Thompson Brown
Address: Department of Economic Security
1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007

or

P.O. Box 6123, Site Code 837A
Phoenix, Arizona 85005

Telephone: (602) 542-6555
Fax: (602) 542-6000

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5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Department will accept written comments during regular business hours, from the present until the close of record, at the location designated above. No date has yet been scheduled for the close of record and no oral proceedings have yet been scheduled.
6. **A timetable for agency decisions or other action in the proceeding:**
The Department is currently drafting the rule amendments. The Department hopes to file a proposed rule with the Secretary of State's Office by late summer of 1996. The Department would conduct their public hearings on the proposed rule amendments in the fall of 1996. The Department hopes to have final rules in place by the beginning of 1997.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 28, Arizona Health Care Cost Containment System - Arizona Long-term Care System
Article and its heading: 3, Pre-admission Screening
Section numbers: R9-28-301 through R9-28-305
2. **Subject matter of the proposed rules:**
The AHCCCS Administration is repealing R9-28-301 and R9-28-303 and proposing for adoption R9-28-301 through R9-28-305, which are currently in effect as emergency rules and will be expressly repealed by these proposed rules.

The proposed rules are necessary to comply with rulemaking provisions of A.R.S. § 41-1001 et seq. for the preadmission screening (PAS) process used by the Administration to determine medical eligibility for applicants, eligible persons, and members for long-term care services provided through the Arizona Long-term Care System (ALTCS) program. AHCCCS has conducted preadmission screening for ALTCS applicants, eligible persons, and members since the beginning of the ALTCS program in 1988. During this time, the PAS instrument and the PAS process have been utilized under the general authority of A.R.S. § 36-2936 and 9 A.A.C. 28, Article 3.

Overall, the proposed preadmission screening rules reflect conformity with federal Title XIX (Medicaid) requirements and sufficiency to retain federal monies for ALTCS, as mandated by A.R.S. § 36-2932(Q).
3. **A citation to all published notices relating to the proceeding:**
Notice of Emergency Rulemaking:
1 A.A.R. 1119, July 21, 1995

Notice of Proposed Rulemaking:
2 A.A.R. 654, January 12, 1996

Notice of Emergency Rulemaking:
2 A.A.R. 805, January 26, 1996

Notice of Public Hearing on Proposed Rulemaking:
2 A.A.R. 973, February 16, 1996
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Debi Wells, AHCCCS

Address: Office of Policy Analysis and Coordination
801 East Jefferson Street, Mail Drop #4200
Phoenix, Arizona

Telephone: (602) 417-4781
Fax: (602) 256-6756
5. **The time during which written submissions and the time and place where oral comments may be made:**
Public hearings on these proposed rules were held in Phoenix and Tucson the week of March 25, 1996. Written comments were accepted through March 28, 1996.
6. **A timetable for agency decisions or other action in the proceeding:**
The agency intends to submit a Notice of Final Rulemaking to GRRC by May 1996.